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11 MACROVISION CORPORATION

**E-Filing**

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA

14 MACROVISION CORPORATION, a  
15 Delaware corporation,

16 Plaintiff,

17 v.

18 MACROVISION TECH, INC., a California  
19 corporation; and YONG HANG LONG, a.k.a.  
20 LOUIS LONG, an individual,

21 Defendants.

**C 05-4507**

**COMPLAINT FOR INJUNCTIVE  
RELIEF FOR: (1) FEDERAL  
TRADEMARK INFRINGEMENT;  
(2) FEDERAL UNFAIR  
COMPETITION; (3) FEDERAL  
DILUTION; (4) CALIFORNIA  
STATUTORY UNFAIR  
COMPETITION; AND  
(5) VIOLATION OF CALIFORNIA'S  
ANTI-DILUTION STATUTES**

ORIGINAL  
FILED  
05 NOV -4 AM 11:16  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**JCS**

1 Plaintiff MACROVISION CORPORATION, ("Macrovision") by its attorneys  
 2 White & Case LLP, for its complaint against Defendants MACROVISION TECH, INC.  
 3 ("Macrovision Tech") and YONG HANG LONG, a.k.a. LOUIS LONG ("Long"), alleges as  
 4 follows:

### 5 **JURISDICTION AND VENUE**

6 1. This is an action for trademark infringement in violation of Section 32(1)  
 7 of the Trademark Act of 1946, as amended (the "Lanham Act"), 15 U.S.C. § 1114(1), false  
 8 designation of origin and misleading description and representations of fact in violation of  
 9 Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a), trademark dilution in violation of Section  
 10 43(c) of the Lanham Act, § 1125(c), unfair competition in violation of the statutory laws of  
 11 California, Cal. Bus. & Prof. Code §§ 17200 *et seq.*, and injury to business reputation and dilution  
 12 in violation of Cal. Bus. & Prof. Code §§ 14330, 14335(a).

13 2. This Court has original jurisdiction under 15 U.S.C. § 1121 and 28 U.S.C.  
 14 §§ 1331, 1338(a) and (b), and has supplemental jurisdiction under 28 U.S.C. § 1367(a).

15 3. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) and (c).

16 4. Assignment of this case to the United States District Court, Northern  
 17 District of California, San Francisco Division, is proper pursuant to United States District Court,  
 18 Northern District of California Civil Local Rule 3.2(c) because a substantial part of the events and  
 19 omissions giving rise to the action occurred in San Francisco, California.

### 20 **PRELIMINARY STATEMENT**

21 5. Macrovision is the international market leader in electronic content  
 22 protection, software licensing and installation, and digital rights management (DRM)  
 23 technologies. Macrovision technologies provide complete and innovative solutions to a wide  
 24 range of customers, including entertainment content owners, publishers, software vendors, IT  
 25 professionals, enterprises, network system operators and internet service providers.

26 6. Macrovision's core business includes solutions that help content owners,  
 27 software publishers and system operators maximize the value and security of proprietary digital  
 28 content and products that are distributed via packaged media, online and across cable/satellite and

1 IP networks. Macrovision's solutions enable its customers to securely distribute and market their  
2 content and products to consumers and businesses. Macrovision's content protection and copy  
3 management technologies cover over \$130 billion of protected entertainment content worldwide.  
4 Over 50,000 software vendors, publishers and virtually all of the Fortune 1000 companies use  
5 Macrovision's software solutions. Macrovision products are deployed on more than 500 million  
6 computer desktops worldwide, and its software technologies are embedded in over \$85 billion of  
7 software shipped worldwide.

8           7.       Upon information and belief, Defendants claim to be in the business of  
9 providing electronic and digital security technologies, including integrated hardware, software  
10 and network solutions directed at security, surveillance and related applications. On its website,  
11 Defendants claim that their technologies are known for their "effectiveness at bridging security,  
12 broadcasting and IT." On information and belief, Defendants market and sell their products  
13 throughout the United States, and abroad.

#### 14                                   THE PARTIES

15           8.       Macrovision is a Delaware corporation organized and existing under the  
16 laws of the State of Delaware with its principal place of business in Santa Clara, California.

17           9.       Upon information and belief, Defendant Macrovision Tech., Inc. is an  
18 entity doing business in the State of California at 243 Ralston Street, San Francisco, California,  
19 94132. Upon information and belief, Macrovision Tech regularly engages in business in  
20 California and has committed tortious acts in California that have damaged and continue to  
21 damage Macrovision.

22           10.      Upon information and belief, Defendant Yong Hang Long, a.k.a. Louis  
23 Long, is an individual who resides in the State of California. Upon information and belief, Long  
24 is the owner of Defendant Macrovision Tech. On further information and belief, Defendant Long  
25 resides at 1668 Washington Street, Apartment 8, San Francisco, California, 94109 and has  
26 committed tortious acts in California that have damaged and continue to damage Macrovision.

27           11.      Upon information and belief, Long, acting in an individual capacity,  
28 exercises dominion and control over the activities of Macrovision Tech and uses such dominion

1 and control to commit the unlawful activity described below.

2 **THE BUSINESS OF PLAINTIFF**

3 12. Macrovision is a world leader in providing digital security technologies  
4 that allow content owners, such as media entertainment companies and software providers, to  
5 protect proprietary content, software and other information against unauthorized use and  
6 distribution.

7 13. Macrovision has invested significant amounts of capital and devoted  
8 substantial amounts of time and effort into production, marketing and development to establish  
9 and bring to market a wide variety goods and services that are widely recognized by consumers to  
10 maximize the value of digital property by making it secure against unauthorized use, distribution  
11 or theft. Through these efforts, Macrovision has created a global reputation for the high quality  
12 of its goods and services in a wide array of markets.

13 14. Macrovision uses the unique, coined MACROVISION term in connection  
14 with its entire business as its company name and trade name, and as a trademark and service mark  
15 to identify the source of origin of its goods and services.

16 15. As a result of Macrovision's widespread use for many years, the  
17 MACROVISION trademark has become famous as a unique identifier of Macrovision's goods  
18 and services.

19 16. Macrovision owns the following federal trademark registrations: Reg.  
20 No. 1911159 for MACROVISION as a trademark and service mark in Classes 9 and 40; Reg.  
21 No. 2227504 for MACROVISION as a trademark and service mark in Classes 9 and 40; Reg.  
22 No. 2792064 for MACROVISION as a trademark and service mark in Classes 9, 35 and 42; and  
23 Reg. No. 2809050 for MACROVISION as a trademark and service mark in Classes 9, 35 and 42.  
24 Print-outs from the United States Patent & Trademark Office website reflecting Macrovision's  
25 registrations in its marks are attached hereto as **Exhibit A**.

26 17. MACROVISION trademarks and service marks are universally recognized  
27 and relied upon as identifying Macrovision as the source of its technology products and services,  
28 and as distinguishing Macrovision's products and services from the products and services of

1 others. As a result, the MACROVISION trademarks and service marks have acquired substantial  
2 goodwill and are extremely valuable commercial assets.

3 **UNLAWFUL CONDUCT BY DEFENDANT**

4 18. Upon information and belief, Defendants, similar to the public at large, are  
5 well aware of the vast and valuable goodwill and reputation represented and symbolized by the  
6 MACROVISION trademarks and service marks. Defendants have been long aware, upon  
7 information and belief, that Macrovision's use of MACROVISION is recognized and relied upon  
8 by the consuming public in the United States and abroad, as identifying Macrovision's goods and  
9 services and distinguishing its goods and services from the goods and services of others.

10 19. Upon information and belief, Defendants are knowingly appropriating for  
11 their own benefit and exploitation the valuable goodwill and reputation symbolized by the  
12 MACROVISION trademarks and service marks. Without Macrovision's consent, Defendants  
13 adopted Macrovision's mark as their trade name for use in connection with their surveillance and  
14 security technology and equipment business, located within this judicial district.

15 20. Defendants display the MACROVISION mark on their website, and use  
16 the MACROVISION mark in their business name, and, on information and belief, Defendants use  
17 the MACROVISION mark on their products. Images downloaded from Macrovision Tech's  
18 website are attached hereto as **Exhibit B**.

19 21. On or about June 30, 2005, attorneys for Macrovision sent Defendants a  
20 letter notifying them of their improper and unauthorized use of the MACROVISION mark and  
21 requesting that Defendants cease all such use. A copy of that letter is attached hereto as  
22 **Exhibit C**.

23 22. Shortly thereafter, in an e-mail dated July 2, 2005, Defendant Long  
24 represented to Macrovision that Defendants would comply with Macrovision's demand. A copy  
25 of that e-mail is attached hereto as **Exhibit D**.

26 23. Notwithstanding Defendants' assurances that they would cease use of the  
27 MACROVISION trademark, Defendants continued to use the mark and thereby willfully  
28 misappropriated Macrovision's goodwill.

1                   24.     Macrovision sent Defendants a second cease and desist letter dated  
2     September 6, 2005, again requesting that Defendants stop using the MACROVISION mark, in  
3     hopes of avoiding the need for legal action to enforce Macrovision's rights. A copy of  
4     Macrovision's September 6, 2005 letter is attached hereto as **Exhibit E**.

5                   25.     In response to Macrovision's September 6, 2005 letter, Defendant Long  
6     sent an e-mail dated September 8, 2005 in which he represented that certain changes would be  
7     made to Defendant Macrovision Tech's logo. Defendant Long, however, failed to address  
8     Defendants' pervasive use of MACROVISION in association with the Macrovision Tech  
9     business products, website and company name, among others. Defendant Long's September 8,  
10    2005 e-mail appears in the document attached hereto as **Exhibit F**.

11                  26.     On or around September 9, 2005, counsel for Macrovision informed  
12    Defendants in an e-mail message that their proposal failed to address Macrovision's concerns and  
13    legal rights, and reiterated the request that all use of the Macrovision Tech name stop by  
14    September 20, 2005. The September 9, 2005 e-mail from counsel for Macrovision to Defendant  
15    Long also appears in **Exhibit F**.

16                  27.     Defendants provided no response and have persisted in their willful use and  
17    infringement of the MACROVISION mark.

18                  28.     Defendant's continuing actions are intentional, willful and in bad faith, and  
19    committed with full knowledge of Macrovision's ownership of the MACROVISION trademarks  
20    and service marks and Macrovision's exclusive rights to use and license such marks. Defendants  
21    have acted and continue to act intentionally, willfully and in bad faith with the intent to diminish  
22    Macrovision's property rights and control over its MACROVISION trademarks and service  
23    marks. Defendants have also acted with the intent to deceive and mislead the public into  
24    believing that Defendant's business products and services are sponsored, licensed by or affiliated,  
25    connected or otherwise associated with Macrovision or its goods and services.

26                  29.     Defendants' activities are likely to diminish and blur the meaning of  
27    Macrovision's famous MACROVISION trademarks and service marks, thereby diluting their  
28    distinctive quality.

1                   30.     Macrovision is being irreparably harmed by Defendant's actions.

2                   31.     Macrovision has no adequate remedy at law.

3                                   **FIRST CLAIM FOR RELIEF**

4                                   **FEDERAL TRADEMARK INFRINGEMENT**

5                   32.     Macrovision repeats the allegations of paragraphs 1 through 31 of this  
6 Complaint.

7                   33.     Defendants' aforesaid use in commerce of the MACROVISION mark in  
8 connection with the sale, offering for sale, distribution and advertising of goods is likely to cause  
9 confusion, or to cause mistake or to deceive.

10                  34.     The aforesaid activities of Defendants constitute trademark infringement in  
11 violation of Section 32(1) of the Lanham Act, 15 U.S.C. § 1114(1).

12                  35.     Defendants have acted willfully, intentionally and in bad faith.

13                  36.     The acts of Defendants have caused and are causing great and irreparable  
14 harm and damage to Macrovision, and unless permanently restrained and enjoined by this Court,  
15 such irreparable harm will continue.

16                                   **SECOND CLAIM FOR RELIEF**

17                                   **FEDERAL UNFAIR COMPETITION**

18                  37.     Macrovision repeats the allegations of paragraphs 1 through 31 of this  
19 Complaint.

20                  38.     The activities of Defendants constitute the use of words, terms, names,  
21 symbols and devices and combinations thereof, false designations or origin and false and  
22 misleading representations of fact that are likely to cause confusion or to cause mistake or to  
23 deceive as to the affiliation, connection or association of Defendants with Macrovision, or as to  
24 the origin, sponsorship or approval of Defendants' goods, services or other commercial activities  
25 by Macrovision.

26                  39.     Defendants' activities as set forth above constitute violations of  
27 Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

28                  40.     Defendants have acted willfully, intentionally and in bad faith.



1                   41.     The acts of Defendants have caused and are causing great and irreparable  
2 harm and damage to Macrovision, and unless permanently restrained and enjoined by this Court,  
3 such irreparable harm will continue.

4                                   **THIRD CLAIM FOR RELIEF**

5                                   **FEDERAL DILUTION**

6                   42.     Macrovision repeats the allegations of paragraphs 1 through 31 of this  
7 Complaint.

8                   43.     The acts of Defendants constitute dilution of the distinctive quality of the  
9 famous MACROVISION trademarks and service marks in violation of Section 43(c) of the  
10 Lanaham Act, 15 U.S.C. § 1125(c).

11                  44.     Defendants have acted intentionally, willfully and in bad faith.

12                  45.     The acts of Defendants have caused and are causing great and irreparable  
13 harm and damage to Macrovision, and unless permanently restrained and enjoined by this Court,  
14 such irreparable harm will continue.

15                                   **FOURTH CLAIM FOR RELIEF**

16                                   **CALIFORNIA STATUTORY UNFAIR COMPETITION**

17                  46.     Macrovision repeats the allegations of paragraphs 1 through 31 of this  
18 Complaint.

19                  47.     The acts of Defendants constitute unlawful, unfair or fraudulent business  
20 practice and unfair, deceptive, untrue or misleading advertising within the meaning of Cal.  
21 Bus. & Prof. Code §§ 17200 *et seq.*

22                  48.     The acts of Defendants have caused and are causing great and irreparable  
23 harm and damage to Macrovision, and unless permanently restrained and enjoined by this Court,  
24 such irreparable harm will continue.

25                                   **FIFTH CLAIM FOR RELIEF**

26                                   **CALIFORNIA ANTI-DILUTION STATUTE**

27                  49.     Macrovision repeats the allegations of paragraphs 1 through 31 of this  
28 Complaint.



1                   50.     The acts of Defendants constitute injury to Macrovision's business in  
2 violation of Cal. Bus. & Prof. Code §§ 14330 and 14335(a).

3                   51.     The acts of Defendants have caused and are causing great and irreparable  
4 harm and damage to Macrovision, and unless permanently restrained and enjoined by this Court,  
5 such irreparable harm will continue.

6   **PRAYER FOR RELIEF**

7                   WHEREFORE, Macrovision respectfully requests judgment against all  
8 Defendants as follows:

9                   A.     Permanently enjoining and restraining Defendants and their respective  
10 officers, agents, employees and attorneys, and those persons in active concert or participation  
11 with them from:

12                   1.     Using on or in connection with the production, manufacture,  
13 advertisement, promotion, displaying for sale, offering for sale, sale, or distribution of any articles  
14 of merchandise, or for any service, or for any purposes whatsoever, the MACROVISION mark,  
15 or any colorable imitations thereof or any mark likely to be confused or confusingly similar  
16 thereto;

17                   2.     Representing by any means whatsoever, directly or indirectly, or doing any  
18 other acts or things calculated or likely to cause confusion, mistake or to deceive purchasers into  
19 believing that Defendants' goods or services originated with or are the goods or services of  
20 Macrovision or that there is any affiliation or connection between Macrovision or its goods and  
21 services and Defendants or their goods and services and from otherwise competing unfairly with  
22 Macrovision.

23                   3.     Using any mark in a manner so as to cause the dilution of the distinctive  
24 quality of the MACROVISION trademarks or service marks; and

25                   4.     Making any false and misleading representations of material facts  
26 regarding Macrovision's trademarks, service marks, products and services in advertising and  
27 promotional material.  
28

1 B. Directing Defendants to file with this Court, and to serve upon  
2 Macrovision within thirty (30) days after service upon Defendants of an injunction in this action,  
3 a written report by Defendants under oath, setting forth in detail the manner in which Defendants  
4 have complied with the injunction.

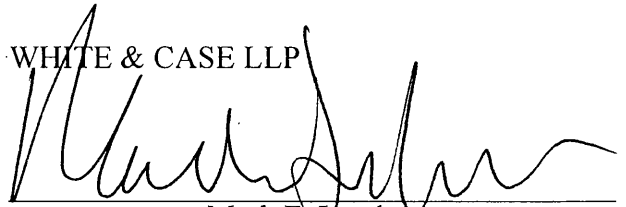
5 C. Awarding Macrovision with damages in an amount to be proved at trial.

6 D. Awarding Macrovision reasonable attorneys' fees and the costs of this  
7 action pursuant to 15 U.S.C. § 1117.

8 D. Awarding Macrovision such further relief as this Court deems just and  
9 proper.

10 Dated: November 4, 2005

WHITE & CASE LLP



Mark F. Lambert  
Attorneys for Plaintiff  
MACROVISION, INC.

**EXHIBIT A**



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	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	78355707		MACROVISION FLEXNET	TARR	LIVE
2	76252409	2809050	MACROVISION	TARR	LIVE
3	76252410	2792064	MACROVISION	TARR	LIVE
4	75334896	2227504	MACROVISION	TARR	LIVE
5	74439711	1911159	MACROVISION	TARR	LIVE

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<b>Word Mark</b>	<b>MACROVISION</b>
<b>Goods and Services</b>	IC 009. US 021. G & S: electronic apparatus for applying copy protection security modification to information signals contained on video signals for video transmissions and video tape recordings. FIRST USE: 19831001. FIRST USE IN COMMERCE: 19831001
	IC 040. US 100 103 106. G & S: providing a copy protection process to television transmissions and video tapes and to those who control the use of television signals. FIRST USE: 19830131. FIRST USE IN COMMERCE: 19830131
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	260513 260521 270301
<b>Serial Number</b>	74439711
<b>Filing Date</b>	September 24, 1993
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	May 23, 1995
<b>Registration Number</b>	1911159

**Registration Date** August 15, 1995

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**Owner** (REGISTRANT) MACRIVISION CORPORATION CORPORATION CALIFORNIA 1341 ORLEANS DR SUNNYVALE CALIFORNIA 10989

**Attorney of Record** FRANK NGUYEN

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20050127.

**Renewal** 1ST RENEWAL 20050127

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<b>Word Mark</b>	<b>MACROVISION</b>
<b>Goods and Services</b>	IC 040. US 100 103 106. G & S: providing a copy protection process to television transmissions, video disks, video tapes and to those who control the use of television signals. FIRST USE: 19830131. FIRST USE IN COMMERCE: 19830131
	IC 009. US 021 023 026 036 038. G & S: electronic apparatus for applying copy protection security modification to information signals contained on video signals for video transmissions, video disks, and video tape recordings. FIRST USE: 19830131. FIRST USE IN COMMERCE: 19830131
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	75334896
<b>Filing Date</b>	August 4, 1997
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	December 8, 1998
<b>Registration Number</b>	2227504
<b>Registration Date</b>	March 2, 1999
<b>Owner</b>	(REGISTRANT) MACROVISION CORPORATION CORPORATION DELAWARE 2830 DE LA CRUZ BLVD SANTA CLARA CALIFORNIA 95050
<b>Prior Registrations</b>	1911159
<b>Type of Mark</b>	TRADEMARK. SERVICE MARK



Register PRINCIPAL  
Affidavit Text SECT 15. SECT 8 (6-YR).  
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### Typed Drawing

**Word Mark** **MACROVISION**  
**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Electronic apparatus, namely, encrypting and scrambling electronic circuits, computer hardware and software for copy protection security modification, anti-piracy rights management and electronic license management of audio, video and digital information. FIRST USE: 19830301. FIRST USE IN COMMERCE: 19830301  
 IC 035. US 100 101 102. G & S: Providing anti-piracy rights management of audio, video and digital information and electronic license management of audio, video and digital information for others for audio, video and digital transmissions and transmissions via the Internet; distributorships in the field of audio, video and digital information of computer hardware and software for others for copy protection security modification of audio, video and digital signals, anti-piracy rights management and electronic license management; copyright management services, namely, providing copy protection for others for audio, video and digital transmissions and transmissions via the Internet. FIRST USE: 19990601. FIRST USE IN COMMERCE: 19990601  
 IC 042. US 100 101. G & S: Design and development of computer hardware and software for others for copy protection security modification of audio, video and digital signals, anti-piracy rights management and electronic license management. FIRST USE: 19990601. FIRST USE IN COMMERCE: 19990601

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 76252410

**Filing Date** May 3, 2001

**Current Filing Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** July 30, 2002

**Registration Number** 2792064

---

**Registration Date** December 9, 2003

**Owner** (REGISTRANT) Macrovision Corporation CORPORATION DELAWARE 2830 De La Cruz Boulevard Santa Clara CALIFORNIA 95050

**Attorney of Record** Alexandra J. Horne

**Prior Registrations** 1911159;2227504

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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# ma@rovisio

**Word Mark** **MACROVISION**  
**Goods and Services** IC 035. US 100 101 102. G & S: Providing anti-piracy rights management of audio, video and digital information and electronic license management of audio, video and digital information for others for audio, video and digital transmissions and transmissions via the Internet; distributorships in the field of audio, video and digital information of computer hardware and software for others for copy protection security modification of audio, video and digital signals, anti-piracy rights management and electronic license management; copyright management services, namely, providing copy protection for others for audio, video and digital transmissions and transmissions via the Internet. FIRST USE: 20010520. FIRST USE IN COMMERCE: 20010520

IC 009. US 021 023 026 036 038. G & S: Electronic apparatus, namely, encrypting and scrambling electronic circuits, computer hardware and software for copy protection security modification, anti-piracy rights management and electronic license management of audio, video and digital information. FIRST USE: 20010520. FIRST USE IN COMMERCE: 20010520

IC 042. US 100 101. G & S: Design and development of computer hardware and software for others for copy protection security modification of audio, video and digital signals, anti-piracy rights management and electronic license management. FIRST USE: 20010520. FIRST USE IN COMMERCE: 20010520

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 260102 260120 260121

**Serial Number** 76252409

**Filing Date** May 3, 2001  
**Current Filing Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** July 9, 2002  
**Registration Number** 2809050  
**Registration Date** January 27, 2004  
**Owner** (REGISTRANT) Macrovision Corporation CORPORATION DELAWARE 2830 De La Cruz Boulevard Santa Clara CALIFORNIA 95050  
**Attorney of Record** Dana Brody-Brown  
**Prior Registrations** 1911159;2227504  
**Description of Mark** The stippling in the drawing is for shading purposes.  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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Events info

ISC West 2005

Come and visit us at ISC West 2005, Apr.6-Apr.8 at booth number 24145 in Sands Expo & Convention Center, Las Vegas, NV, U.S.A.

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ISC East 2005

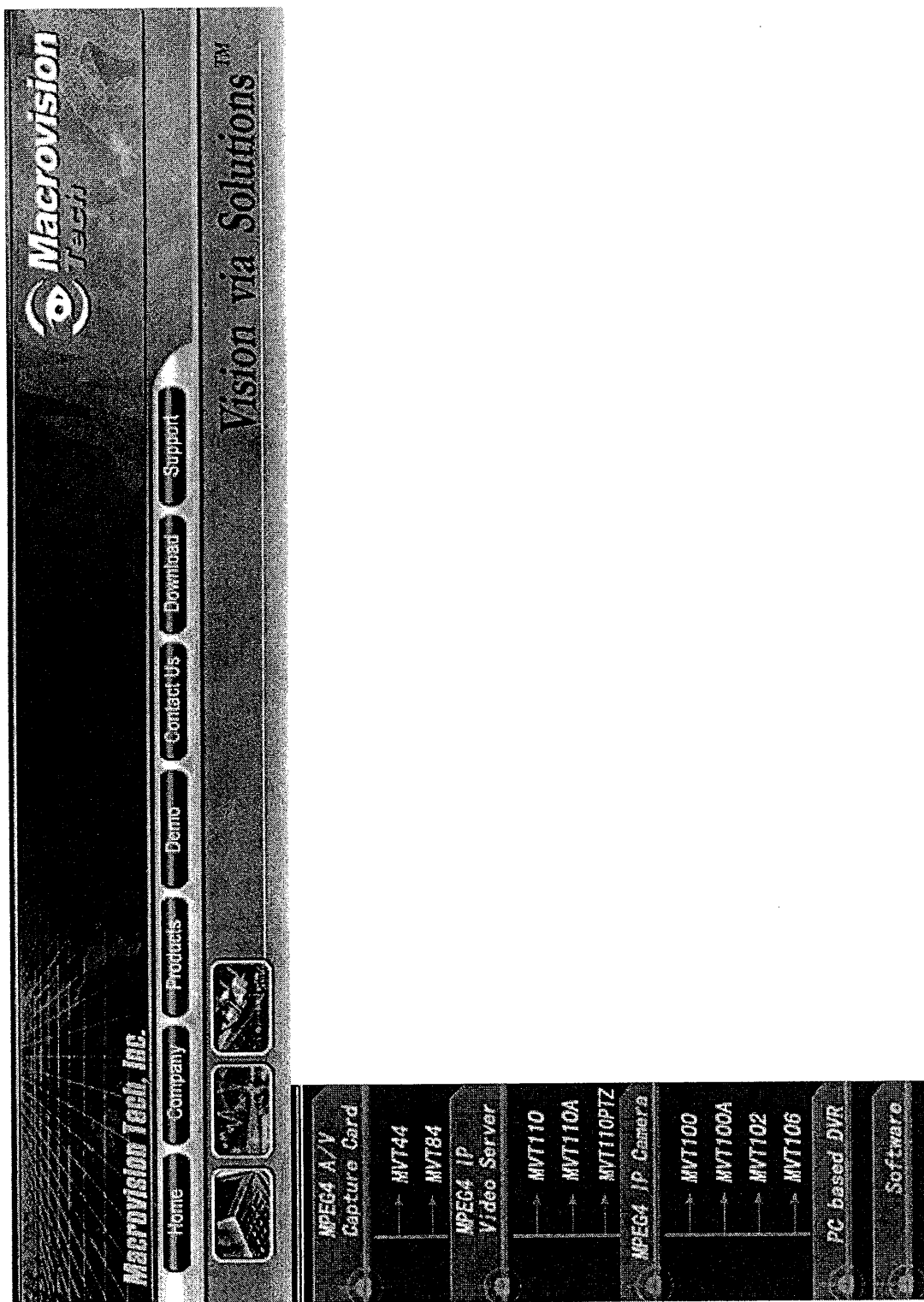
Come and visit us at ISC East 2005, Aug.24-Aug.25 at booth number 1472 in Jacob Javits Convention Center, New York, NY.

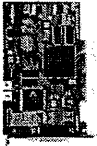




[detail>>](#)

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Tel: 415-375-8033 Fax: 415-375-8083














































































































































			
MPEG4 A / V Capture Card	MPEG4 IP Video Server	MPEG4 IP Camera	Digital Video Surveillance System
<div>MVT44</div> <div>MVT84</div>	<div>MVT110</div> <div>MVT110A</div> <div>MVT110PTZ</div>	<div>MVT100</div> <div>MVT100A</div> <div>MVT102</div> <div>MVT106</div>	<div>DVR Price Quote</div> <div>4 CHANNELS PC-BASE DVR SYSTEM</div> <div>8 CHANNELS PC-BASE DVR SYSTEM</div> <div>12 CHANNELS PC-BASE DVR SYSTEM</div> <div>16 CHANNELS PC-BASE DVR SYSTEM</div>
<div></div> <div>Digital Video Surveillance Software</div>			
<div>MacroPan Server</div> <div>MacroPan Client</div> <div>MacroPan Review</div>			

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**EXHIBIT C**



ALEXANDRA J. HORNE  
(650) 494-8700  
horne.alexandra@dorsey.com

June 29, 2005

***VIA FEDERAL EXPRESS***

Mr. Louis Long  
Macrovision Tech, Inc.  
243 Ralston Street  
San Francisco, CA 94132-2606

Re: Macrovision Corporation  
Trademark Registrations for MACROVISION

Dear Mr. Long:

We represent Macrovision Corporation ("Macrovision"), of Santa Clara, California, in connection with trademark and unfair competition matters. Macrovision is a leading developer of software and related technology which allows for the protection and management of digital information. Information regarding our client can be found at [www.macrovision.com](http://www.macrovision.com).

Macrovision has used the house mark MACROVISION since 1983, and has protected the MACROVISION mark with registrations before the U.S. Patent and Trademark Office and in other countries around the world. Information regarding our client's four U.S. registrations for the MACROVISION word mark and design marks is enclosed for your reference. Macrovision has extensively promoted its MACROVISION trademark such that consumers have come to recognize the mark as denoting software and services from Macrovision.

Macrovision recently became aware that Macrovision Tech is operating a website at the URL [www.macrovisiontech.com](http://www.macrovisiontech.com) which promotes products and services related to security under the trademark MACROVISION. Our client is naturally concerned that the software and hardware sold by your company under the MACROVISION mark may be aimed at the same group of customers to whom its MACROVISION software is offered. Our purpose for writing today is to request additional information regarding the nature of your software and hardware products, the intended customers, the intended means for advertising your products, and the intended purchase price. Once we have that information, our client will be in a better position to evaluate whether customers are likely to confuse the two companies.

Mr. Louis Long  
June 29, 2005  
Page 2



As a trademark owner, Macrovision must take action when it learns of possible trademark infringement. However, Macrovision would prefer to take a reasonable approach and investigate situations such as this in a friendly manner, before proceeding with expensive and possibly needless litigation. In exchange, we would appreciate your cooperation in responding with the information requested at your earliest convenience, and no later than July 15th. If you have any questions, please feel free to call.

Very truly yours,

DORSEY & WHITNEY LLP

A handwritten signature in black ink, appearing to read "Alexandra J. Horne".

Alexandra J. Horne

AJH/tb  
Enclosure

cc: Macrovision Corp.



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Current Search: S2: (macrovision)[COMB] and (live)[LD] docs: 5 occ: 15

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
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2	76252409	2809050	MACROVISION	TARR	LIVE
3	76252410	2792064	MACROVISION	TARR	LIVE
4	75334896	2227504	MACROVISION	TARR	LIVE
5	74439711	1911159	MACROVISION	TARR	LIVE

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<b>Word Mark</b>	<b>MACROVISION</b>
<b>Goods and Services</b>	IC 009. US 021. G & S: electronic apparatus for applying copy protection security modification to information signals contained on video signals for video transmissions and video tape recordings. FIRST USE: 19831001. FIRST USE IN COMMERCE: 19831001
	IC 040. US 100 103 106. G & S: providing a copy protection process to television transmissions and video tapes and to those who control the use of television signals. FIRST USE: 19830131. FIRST USE IN COMMERCE: 19830131
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	260513 260521 270301
<b>Serial Number</b>	74439711
<b>Filing Date</b>	September 24, 1993
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	May 23, 1995
<b>Registration Number</b>	1911159

**Registration Date** August 15, 1995

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**Owner** (REGISTRANT) MACRIVISION CORPORATION CORPORATION CALIFORNIA 1341 ORLEANS DR SUNNYVALE CALIFORNIA 10989

**Attorney of Record** FRANK NGUYEN

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20050127.

**Renewal** 1ST RENEWAL 20050127

**Live/Dead Indicator** LIVE

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### Typed Drawing

<b>Word Mark</b>	<b>MACROVISION</b>
<b>Goods and Services</b>	IC 040. US 100 103 106. G & S: providing a copy protection process to television transmissions, video disks, video tapes and to those who control the use of television signals. FIRST USE: 19830131. FIRST USE IN COMMERCE: 19830131
	IC 009. US 021 023 026 036 038. G & S: electronic apparatus for applying copy protection security modification to information signals contained on video signals for video transmissions, video disks, and video tape recordings. FIRST USE: 19830131. FIRST USE IN COMMERCE: 19830131
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	75334896
<b>Filing Date</b>	August 4, 1997
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	December 8, 1998
<b>Registration Number</b>	2227504
<b>Registration Date</b>	March 2, 1999
<b>Owner</b>	(REGISTRANT) MACROVISION CORPORATION CORPORATION DELAWARE 2830 DE LA CRUZ BLVD SANTA CLARA CALIFORNIA 95050
<b>Prior Registrations</b>	1911159
<b>Type of Mark</b>	TRADEMARK. SERVICE MARK

**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).

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**Live/Dead Indicator** LIVE

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#### Typed Drawing

**Word Mark** **MACROVISION**  
**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Electronic apparatus, namely, encrypting and scrambling electronic circuits, computer hardware and software for copy protection security modification, anti-piracy rights management and electronic license management of audio, video and digital information. FIRST USE: 19830301. FIRST USE IN COMMERCE: 19830301  
 IC 035. US 100 101 102. G & S: Providing anti-piracy rights management of audio, video and digital information and electronic license management of audio, video and digital information for others for audio, video and digital transmissions and transmissions via the Internet; distributorships in the field of audio, video and digital information of computer hardware and software for others for copy protection security modification of audio, video and digital signals, anti-piracy rights management and electronic license management; copyright management services, namely, providing copy protection for others for audio, video and digital transmissions and transmissions via the Internet. FIRST USE: 19990601. FIRST USE IN COMMERCE: 19990601  
 IC 042. US 100 101. G & S: Design and development of computer hardware and software for others for copy protection security modification of audio, video and digital signals, anti-piracy rights management and electronic license management. FIRST USE: 19990601. FIRST USE IN COMMERCE: 19990601

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 76252410

**Filing Date** May 3, 2001

**Current Filing Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** July 30, 2002

**Registration Number** 2792064

---

**Registration Date** December 9, 2003

**Owner** (REGISTRANT) Macrovision Corporation CORPORATION DELAWARE 2830 De La Cruz Boulevard Santa Clara CALIFORNIA 95050

**Attorney of Record** Alexandra J. Horne

**Prior Registrations** 1911159;2227504

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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# ma@rovisio

**Word Mark** **MACROVISION**  
**Goods and Services** IC 035. US 100 101 102. G & S: Providing anti-piracy rights management of audio, video and digital information and electronic license management of audio, video and digital information for others for audio, video and digital transmissions and transmissions via the Internet; distributorships in the field of audio, video and digital information of computer hardware and software for others for copy protection security modification of audio, video and digital signals, anti-piracy rights management and electronic license management; copyright management services, namely, providing copy protection for others for audio, video and digital transmissions and transmissions via the Internet. FIRST USE: 20010520. FIRST USE IN COMMERCE: 20010520

IC 009. US 021 023 026 036 038. G & S: Electronic apparatus, namely, encrypting and scrambling electronic circuits, computer hardware and software for copy protection security modification, anti-piracy rights management and electronic license management of audio, video and digital information. FIRST USE: 20010520. FIRST USE IN COMMERCE: 20010520

IC 042. US 100 101. G & S: Design and development of computer hardware and software for others for copy protection security modification of audio, video and digital signals, anti-piracy rights management and electronic license management. FIRST USE: 20010520. FIRST USE IN COMMERCE: 20010520

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 260102 260120 260121

**Serial Number** 76252409



**Filing Date** May 3, 2001  
**Current Filing Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** July 9, 2002  
**Registration Number** 2809050  
**Registration Date** January 27, 2004  
**Owner** (REGISTRANT) Macrovision Corporation CORPORATION DELAWARE 2830 De La Cruz Boulevard Santa Clara CALIFORNIA 95050  
**Attorney of Record** Dana Brody-Brown  
**Prior Registrations** 1911159;2227504  
**Description of Mark** The stippling in the drawing is for shading purposes.  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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**EXHIBIT D**

**From:** Louis Long [louislong@MacroVisiontech.com]  
**Sent:** Saturday, July 02, 2005 10:35 PM  
**To:** Horne, Alexandra  
**Subject:** Trademaek.

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Price.xls

Hello:

I received the document about MacroVision Tech may infringe the trademark of MacroVision Corporation.

We will fix this as soon as possible, no later than 7-15-05. We will change all trademark in our website, software, hardware or any other product we are using the MacroVision as the trademark.

MacroVision Tech, Inc. is a security surveillance equipment company. We have DVR, surveillance software, and DVR system. Our primary is the security equipment installer and security equipment Distributor. I attach our product's price for you.

Any question please email or call me any time.

Best regards,

Louis Long  
MacroVision Tech, Inc.  
Sales manager  
<http://www.macrovisiontech.com/>  
Cell: (415) 368-6772, (415) 713-4404  
Office: (415) 375-8033  
Fax: (415) 375-8083

**EXHIBIT E**



ALEXANDRA J. HORNE  
(650) 494-8700  
horne.alexandra@dorsey.com

September 6, 2005

***VIA FEDERAL EXPRESS***

Mr. Louis Long  
Macrovision Tech, Inc.  
243 Ralston Street  
San Francisco, CA 94132-2606

Re: Macrovision Corporation  
Use of MACROVISION

Dear Mr. Long:

We have received no response to our letter sent July 12, 2005 regarding your company's unauthorized use of the MACROVISION trademark. We have also reviewed your company's website and see no change in the use of the MACROVISION mark. As you know from our earlier communications, our client takes this matter very seriously. Accordingly, we must insist that you take down the [www.macrovisiontech.com](http://www.macrovisiontech.com) website, remove all uses of the MACROVISION mark on your products, and discontinue all use of Macrovision Tech within two weeks of the date of this letter.

As previously advised, our client would prefer to settle this matter amicably, but, if necessary, our client will pursue litigation in federal court in order to protect its valuable trademark rights. If Macrovision Tech continues to use the MACROVISION name and mark, we believe such continued use will clearly demonstrate that Macrovision Tech is willfully infringing Macrovision's trademark, thereby entitling Macrovision to an award for damages and attorneys fees.

We look forward to receiving your confirmation that all use of the MACROVISION trademark and Macrovision Tech name will cease by September 20, 2005. If you need to discuss a longer phase-out period, please contact me immediately.

Very truly yours,

DORSEY & WHITNEY LLP

A handwritten signature in black ink, appearing to read 'Alexandra J. Horne', written over the printed name.

Alexandra J. Horne

cc: Macrovision Corp.

DORSEY & WHITNEY LLP • WWW.DORSEY.COM • T 650.857.1717 • F 650.857.1288  
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4835-2196-7616\1 9/6/2005 1:40 PM

USA CANADA EUROPE ASIA

**EXHIBIT F**

**From:** Horne, Alexandra  
**Sent:** Friday, September 09, 2005 4:27 PM  
**To:** 'Louis Long'  
**Subject:** RE: TradeMark!

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Dear Mr. Long,

Thank you for your prompt response to our most recent letter. We appreciate that you have changed your company's logo design by deleting the letter "V", but note that the company name remains the same, as does the website address, and that there are numerous uses of Macrovision Tech, with the letter "V", on your website. Again, we must insist that all use of the Macrovision Tech name stop by September 20, 2005. I will look forward to receiving your confirmation by return email that you will comply with this request as soon as possible, but no later than September 20, 2005.

Best regards,

Alexa Horne

Alexandra J. Horne  
Dorsey & Whitney LLP  
850 Hansen Way  
Palo Alto, CA 94304  
Phone: (650) 494-8700  
Fax: (650) 494-8771  
horne.alexandra@dorsey.com

-----Original Message-----

**From:** Louis Long [mailto:louislong@MacroViontech.com]  
**Sent:** Thursday, September 08, 2005 12:55 AM  
**To:** Horne, Alexandra  
**Subject:** TradeMark!

Hello ,

Thanks for your letter about MacroVision Tech, Inc. unauthorized use of the Macrovision Trademark.

After we received the letter, we changed the trademark in July 25, 2005.

And we changed the trademark to Macroision. There is no Letter "V" in our new trademark.

I and attached the picture of our trademark for your examination. And you can go to our website for your examination.

If you have any questions. Please contact me. I will fixed the problem immediately.

Best regards,

Louis Long  
MacroVision Tech, Inc.  
Sales manager  
<http://www.macrovisiontech.com/>  
Cell: (415) 368-6772 , (415) 713-4404

Office: (415) 375-8033

Fax: (415) 375-8083

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